

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

EFRAIN OTERO

v.

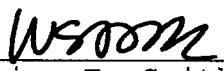
C.A. 10-379 S

STATE OF RHODE ISLAND

ORDER

The Report and Recommendation of United States Magistrate Judge Lincoln D. Almond filed on February 23, 2011 (ECF No. 6) in the above-captioned matter is hereby accepted pursuant to Title 28 United States Code § 636(b)(1). Petitioner stated in his objection to the Report and Recommendation (ECF No. 7) that he was not served with the State's Motion to Dismiss (ECF No. 5), and he asked for leave to respond to both the Motion to Dismiss and the Report and Recommendation in his objection. The Court has considered the Petitioner's objection as both an objection to the Motion to Dismiss and the Report and Recommendation. Plaintiff's objection to the Report and Recommendation is rejected, the Report and Recommendation is adopted, and the Motion to Dismiss is GRANTED.

ENTER:



William E. Smith
United States District Judge
Date: 3/29/11